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MAY 1991

MEMORANDUM OF UNDERSTANDING
among
THE PINELANDS COMMISSION
THE STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
and
THE NATIONAL PARK SERVICE

Reissued in March, 1991

Updated April 19, 1991

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DEPARTMENT OF ENVIRONMENTAL PROTECTION
and
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Article I. Background and Objectives

Whereas Public Law 95-825, Section 502, of the National Parks and Recreation Act of 1978, as amended by Public Law 100-486, Section 1, creates the Pinelands National Reserve and requires the National Park Service to "study and recommend appropriate initiatives to provide an educational and interpretive program in the Reserve," and

Whereas, Public Law 100-486, Section 1, directs the National Park Service to produce a plan which considers, "among other things, the improvements of existing facilities and interpretive programs in the reserve, including the use of existing facilities..." and to recommend "appropriate roles for departments and agencies of the State of New Jersey and the Federal Government in implementing the program;"

Whereas, the Congress of the United States has appropriated \$191,000 in federal funding for the creation of an Interpretation and Use Plan for the Pinelands National Reserve; therefore

Article II. Statements of Work

The agencies and organizations listed above hereby enter into an agreement to work cooperatively to develop an Interpretation and Use Plan for the Pinelands National Reserve. The purpose of this agreement is to ensure the coordination of the efforts of these separate organizations in the development of the Interpretation and Use Plan. The purpose of the Plan is to enhance public understanding, awareness, and appreciation of the natural and cultural resources of the Pinelands National Reserve of New Jersey.

Congress directed the Secretary of the Interior to study and recommend initiatives to provide an educational and interpretive program for the Reserve, "considering among other things the improvement of existing facilities and interpretive programs in the Reserve, including the possible use of existing facilities such as Whitesbog, Batsto, Double Trouble State Park and Stockton State College...the use and enhancement of existing fire towers in the reserve to serve as observation platforms...a program to include interpretive materials, exhibits, films, lectures and other educational materials and methods."

Objectives of the Plan

The Plan will:

Enhance public understanding, awareness and appreciation of the natural and cultural resources of the Pinelands National Reserve, without encouraging overuse of the region's resources;

Determine the most appropriate set of themes or messages to be communicated in the Pinelands;

Examine present interpretation and interpretive sites in the Reserve, and establish a regional interpretive planning approach which creates a cohesive and understandable experience for the visitor, while protecting both the fragile natural and cultural sites, as well as the privacy and quality of life of Pinelands residents;

Suggest types, locations and associated costs of various interpretive improvements, and mechanisms to link understandably existing and improved sites for the visitor and resident alike;

Suggest reasonable roles for the local governments, the State of New Jersey and the Federal Government and the private sector, considering the most appropriate allocation of scarce resources;

Inventory existing interpretive and informational materials, exhibits, films, lectures and other devices; outline directions for any additional materials that may be required to carry out the alternatives, and; provide a base of information which may be used to create an Interpretive Prospectus.

Provide Pinelands educational opportunities for students, teachers, and other New Jersey residents.

Issues Pertinent to the Plan

In order to meet these goals, the Plan must consider the following issues or concerns:

Protection of traditional lifeways, privacy and quality of life in New Jersey's Pinelands;

Public perception that federal involvement may not consider landowner concerns;

Differing perceptions by the region's varied local governments regarding the appropriate level, type and kind of recreational and interpretive/educational use;

Public fears that increased public access to natural and cultural sites, recreational sites, and water resources will infringe upon residents' privacy and quality of life;

On site, out of basin and regional conflicts regarding the appropriate use of resources;

The appropriate level of involvement between federal, state, local and public partners;

The appropriate allocation of scarce federal, state and local resources;

The appropriate balance between tourism/economic development and protection of nationally, regionally and locally significant resources and traditional values;

The need to synthesize and coordinate large amounts of research, survey and inventory data, and other materials to accomplish the planning process.

Feasibility and suitability of Pinelands Fire Towers as one potential method to create opportunities for observation and interpretation of the Pinelands' fragile landscape;

The relationship of an interpretive program in the Pinelands to other local, state and national initiatives, including the New Jersey Coastal Heritage Trail, the Great Egg and Maurice River Wild and Scenic River Studies, and the Delaware Basin study.

Work Plan

The Steering Committee will prepare and adopt a work plan for the study.

The Steering Committee

Interagency coordination will be carried out primarily through a Steering Committee, members of which will be appointed by the three cooperators. The Steering Committee will seek funding and other/or other forms of public and private assistance to accomplish current planning efforts, future planning needs and implementation costs of the Plan; accomplish the major work of the study; direct and review the work of the project team; and recommend a preferred alternative. The Committee will meet once a month (or at other intervals to be established by the Steering Committee) for the duration of the planning and implementation phases of the Plan.

Under the auspices of the Steering Committee, a Project Team will be formed to accomplish the work, consisting of staff from each of the cooperating organizations and other invited representatives of public agencies, business and the private sector. The role of the Project Team will be to accomplish the necessary research, inventory and analysis; to analyze and synthesize the inventory results, to create plan alternatives, and to generate the final plan which will include recommendations for the management, implementation and financing of the preferred alternative.

The Steering Committee will also involve the public in the decision making process, including representatives from civic, cultural, educational and business organizations, and interested citizens. The purpose of the public involvement will be to inform and give direction to the Plan and to provide a forum for intensive participation by the community in the planning process. Participants in the public involvement process will be a resource upon which the Steering Committee and Project Team may call for information and expert advice. The Steering Committee may form informal citizens' task forces to provide information, assistance and implementation assistance for the Plan.

Upon the vote of all members, other organizations may be included as members of the Steering Committee.

The agencies that are a party to this agreement may designate another staff member to act on the Steering Committee, in the event that agency's appointee is unable to attend a meeting.

Decisions of the Steering Committee shall be made by majority vote.

Role of the New Jersey Pinelands Commission

The Pinelands Commission will: appoint the Executive Director of the Pinelands Commission, or his designee, as its representative to the Steering Committee; assign staff to work on the Project Team; as a member of the Steering Committee, oversee policy and program alternatives; provide detailed site inventory and mapping; work with the steering committee to inventory interpretive programs and media; inventory New Jersey Pinelands educational resources; provide a preliminary environmental evaluation for suggested alternatives; and provide information and support for public involvement. In addition, the Pinelands Commission will cooperate with other Steering Committee members to seek additional public and private project funding, both to support current planning efforts, future planning needs and implementation costs of the Plan. To accomplish this level of work, the Pinelands Commission will require additional staff funding of approximately \$15,000 for the first phase of the work. Printing, reproduction, travel and other related expenses will be borne by the National Park Service.

Role of the State of New Jersey Department of Environmental Protection

The Department of Environmental Protection will: appoint the Assistant Commissioner for Natural Resources, or his designee, as its representative to the Steering Committee; assign staff to work on the Project Team; as a member of the Steering Committee, oversee policy and program alternatives; conduct an inventory of all state owned recreation and open space land holdings within the Pinelands Reserve vicinity; identify all existing state owned DEP recreation facilities and interpretive opportunities within the Pinelands Reserve vicinity, and their current conditions; identify potential sites and facilities which can be developed in conjunction with the Pinelands Interpretive Project and work with the Pinelands Commission to list concerns and limitations on any proposed expansion; prepare an inventory of current visitor patterns at state facilities and general options for increasing visitor accessibility; identify capital budget requirements for development and/or expansion of state owned facilities and work with the Steering Committee to list concerns and limitations on proposed expansions; identify local opportunities (municipal and County) which have been assisted through the Green Acres Program; coordinate the work and involvement of other state agencies, including the Department of Agriculture, Rutgers University, Stockton State College, the Department of Travel and Tourism); provide information and support for public involvement. In addition, the Department of Environmental Protection will cooperate with other Steering Committee members to seek additional public and private project funding, both to support current planning efforts, future planning needs and implementation costs of the Plan.

Role of the National Park Service

The National Park Service will: appoint the Regional Director of the Mid-Atlantic Region, or his designee, to the Steering Committee; assign staff to work on the Project Team; as a member of the Steering Committee, oversee policy and program alternatives; act as primary manager of the project team; draft and negotiate the MOU between the partners; work jointly with all cooperators to form the project team; facilitate the completion of all aspects of the plan,

including the assessment, development of alternatives, and public involvement; complete assessment sections and other tasks as agreed upon in the MOU; develop alternatives jointly with the cooperators and public participants; complete any written reports; analyze the Pinelands observation towers for suitability/feasibility; and work with the Denver Service Center to secure services and disciplines unavailable elsewhere among the cooperators. In addition, NPS shall provide such NEPA compliance as may be required by the work. To ensure coordination with other ongoing NPS efforts, a member of the DSC's New Jersey Coastal Heritage Trail planning team shall participate as a member of the Pinelands Interpretation and Use Plan project team, and the project manager of the New Jersey Coastal Heritage Trail will participate as a member of the Project Team, to ensure coordination of key plan elements with both these projects. In addition, the National Park Service will cooperate with other Steering Committee members to seek additional public and private project funding, both to support current planning efforts, future planning needs and implementation costs of the Plan. The National Park Service will fund from its federal appropriation, all of the costs associated with the completion of its portion of the plan, and will bear the cost of printing, reproduction and travel for the project team.

Article III. Term of Agreement

This agreement shall extend for a period of five years from the date of signing.

Article IV. Key Officials

Key Officials for the purpose of this document are:

Terrence Moore
Executive Director
The Pinelands Commission

James Hall
Acting Assistant Commissioner for Natural Resources
The New Jersey Department of Environmental Protection

James W. Coleman, Jr.
Regional Director
National Park Service

Article V. Termination

Any party to this agreement may terminate the agreement by providing sixty days written notice to the other parties.

Article VI. Required Clauses

During the performance of this agreement the participants agree to abide by the terms of Executive Order 11246 on nondiscrimination and will not discriminate against any person because of race, color, religion, sex or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex or national origin.

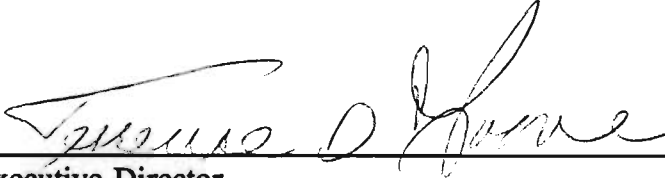
No member or delegate to Congress, or resident federal Commissioner, shall be admitted to any share or part of this agreement, or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

Article VII. Contractual Obligations

This Memorandum of Understanding is not intended to and does not create any contractual rights or obligations with respect to the signatory agencies or any other parties.

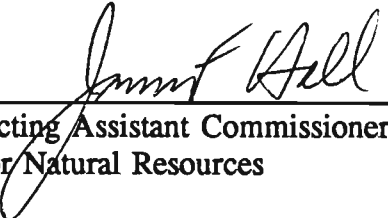
Article VII. Signatures

THE PINELANDS COMMISSION


Executive Director

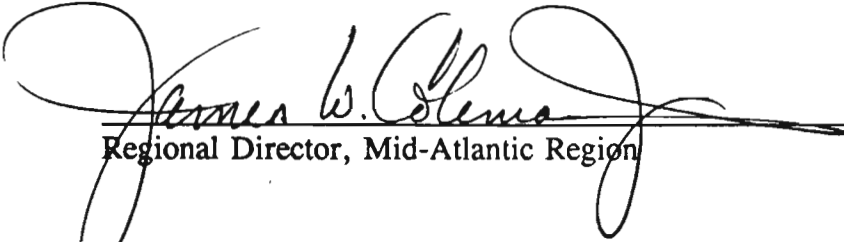
May 14 1991
date

THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION


Acting Assistant Commissioner
for Natural Resources

5/17/91
date

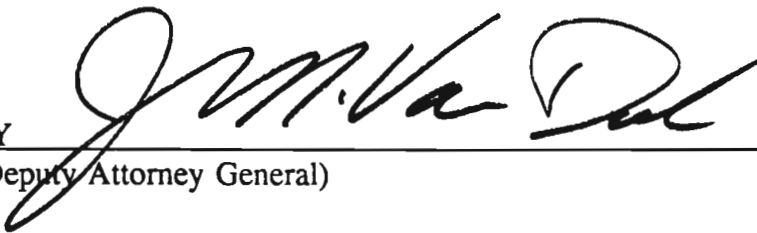
NATIONAL PARK SERVICE



Regional Director, Mid-Atlantic Region

date

Approved as to form only:
ATTORNEY GENERAL, STATE OF NEW JERSEY

BY 

(Deputy Attorney General)

5/8/91

date